

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-23 are all the claims pending in the application, as claims 20-23 are hereby added. Applicant submits the pending claims define patentable subject matter.

Applicant submits the term “handheld” in the feature “a handheld portable operating portion” recites structural features of the claimed invention, contrary to the Examiner’s contention that the amendments are only directed to an intended use of the apparatus. Therefore, Applicant respectfully requests the Examiner give patentable consideration to the amended claims, just like any other limitation of the claim, for what it fairly conveys to a person of ordinary skill in the art.¹

Further, with regard to new claims 20-23, Applicant notes the feature “wherein the handheld portable operating portion fits within an operator’s hand” recites a structural characteristic. Applicant respectfully submits the prior art of record fails to teach or suggest this unique aspect of the claimed invention. Consequently, Applicant submits new claims 20-23 are patentable over the prior art of record for at least these reasons.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

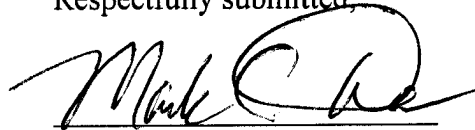
¹ See MPEP 2173.05.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/684,705

Attorney Docket No.: Q77937

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark C. Davis", written over a horizontal line.

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